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September 28, 2009

Honorable Joel A. Pisano, U.S.D.J.
Clarkson S. Fisher Federal Bldg.
& U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: Estate of Robert Prevost v. Township of Middletown, et al.
Civil Action No. 3:07-cv-5260

Dear Judge Pisano:

The Clerk of the Township has advised that the agenda for the October 5, 2009 Township Committee meeting is overfilled. I have placed the above referenced matter on the October 19, 2009 agenda.

I apologize to the Court and plaintiff's counsel for this unavoidable delay. I will report back to the Court and all counsel immediately upon obtaining the Committee's decision with regard to the settlement discussed.

Respectfully,
BERNARD M. REILLY, LLC.

/s/ Richard C. Leahey, Jr.
BY: RICHARD C. LEAHEY, JR.

RCL/ms

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